

AMENDED IN ASSEMBLY JUNE 4, 2009

AMENDED IN SENATE MARCH 31, 2009

SENATE BILL

No. 345

Introduced by Senator Negrete McLeod

February 25, 2009

An act to add Section 31787.65 to the Government Code, relating to death benefits.

LEGISLATIVE COUNSEL'S DIGEST

SB 345, as amended, Negrete McLeod. Government of counties: death benefits.

Existing law prescribes special death benefits that are payable to the surviving spouse and children of a safety member of a county retirement system, who would have been entitled to retirement as a result of a service-connected disability, but dies prior to retirement, as provided.

This bill would require the special death benefit payable to the surviving spouse or eligible children of a safety member, employed by San Bernardino County, to increase at any time and to the extent the compensation is increased for then-active members, as specified.

This bill also requires that this section will not become operative until adopted by resolution by the board of supervisors of a county of the seventh class.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 31787.65 is added to the Government
- 2 Code, to read:

1 31787.65. (a) For purposes of Section 31787, the final
2 compensation upon which the special death benefit is calculated
3 for the eligible surviving spouse or eligible children of a safety
4 member killed in the performance of his or her duty, shall be
5 increased at any time the increase is effective and to the extent the
6 compensation is increased for then-active members employed in
7 the job classification and membership category that was applicable
8 to the deceased member at the time of the injury, or the onset of
9 the disease, causing death. The deceased member's final
10 compensation shall be deemed to be subject to further increases
11 hereunder only until the earlier of (1) the death of the ~~eligible~~
12 ~~beneficiary~~ *surviving spouse or eligible children* or (2) the date
13 that the deceased member would have attained the age of 50 years.
14 (b) This section applies only to a county of the seventh class,
15 as defined by Sections 28020 and 28028, as amended by Chapter
16 1204 of the Statutes of 1971, and shall not be operative until the
17 board of supervisors, by resolution, makes this section applicable
18 in the county. A resolution to make this section operative in the
19 county shall specify whether these provisions apply retroactively
20 or prospectively only.